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FORT JAMES CORPORATION
11 AND RELATED ENTITIES

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18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

20 JEFFREY H. BECK, Liquidating
Trustee of the Crown Paper Liquidating
21 Trust,

22 Plaintiff,

23 vs.

24 FORT JAMES CORPORATION;
FORT JAMES OPERATING
25 COMPANY; FORT JAMES FIBER
COMPANY; FORT JAMES
26 INTERNATIONAL HOLDINGS LTD;
AND MCGUIREWOODS, LLP,

27 Defendants.
28

Case No. C 05-0798 MMC

**STIPULATION AND [PROPOSED]
ORDER DEFERRING BRIEFING
AND HEARING DATES FOR
DEFENDANTS' MOTIONS FOR
ATTORNEYS' FEES**

Courtroom: 7 (19th Floor)
Judge: Hon. Maxine M. Chesney

1 Pursuant to Rule 6-2 of the Local Rules of the Northern District of
2 California and FRCP 54(d)(2), plaintiff Jeffrey H. Beck, Liquidating Trustee
3 ("Plaintiff"), and defendants Fort James Operating Company, Fort James Fiber
4 Company, and Fort James International Holdings, Ltd., (collectively, "Fort James
5 Defendants") and McGuireWoods LLP ("MW," and collectively with the Fort James
6 Defendants, "Defendants", and collectively with the Fort James Defendants and
7 Plaintiff, the "Parties") stipulate as follows and respectfully request that the Court
8 enter the Parties' proposed order appended hereto.

9
10 WHEREAS, on December 14, 2006, the Court entered judgment in this
11 Action in favor of Defendants;

12
13 WHEREAS, pursuant to FRCP 54(d)(2) and Local Rule 54-6, motions
14 for attorneys' fees must be filed no later than 14 days after entry of judgment, but the
15 time can be extended by stipulation and order;

16
17 WHEREAS, without a stipulation and order extending the time,
18 Defendants would have to file attorneys' fees motions no later than December 28,
19 2006;

20
21 WHEREAS, on December 15, 2006, the Court heard and took under
22 submission, among other things, the Fort James Defendants' Motion for Summary
23 Judgment on Count II of Plaintiffs' Second Amended Complaint (Fraudulent
24 Transfer Claim Relating to 1998 Option and Settlement Agreement ("OSA")) in the
25 related action, *Crown Paper Company v. Fort James Corporation*, Case No. C 02-
26 3838 MMC ("Count II Summary Judgment Motion");

1 WHEREAS, Defendants' right to recover attorneys' fees incurred in this
2 Action potentially depends upon the enforceability and validity of the OSA, which
3 will not be determined (i) unless and until the Court grants the Court II Summary
4 Judgment Motion, or (ii) until a resolution through trial (which is scheduled to
5 commence on February 5, 2007) if the Court denies the Count II Summary
6 Judgment Motion;

7
8 WHEREAS, the Parties agree that the Parties and the Court should not
9 go through the time and expense of briefing, arguing, and hearing attorneys' fees
10 motions in this Action before the Court has ruled on Plaintiff's claim that the OSA is
11 avoidable as a fraudulent transfer;

12
13 IT IS HEREBY STIPULATED AND AGREED that Defendants' time to file
14 attorneys' fees motions in this Action shall be extended, so that Defendants shall file
15 attorneys' fees motions no later than 14 days after (i) the Court grants the Count II
16 Summary Judgment Motion if the Court grants the Count II Summary Judgment
17 Motion, or (ii) the Court enters judgment on Count II of the Second Amended
18 Complaint if the Court denies the Count II Summary Judgment Motion.

19
20 DATED: December 20, 2006

21 BEUS GILBERT PLLC

22
23 By /s/ Albert J. Morrison
24 Albert J. Morrison
25 Attorneys for Plaintiff
26
27
28

1 DATED: December 20, 2006

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

3
4 By /s/ Theodore A. Cohen
5 Theodore A. Cohen
6 Attorneys for Fort James Defendants

7 DATED: December 20, 2006


8 KRIEG, KELLER, SLOAN, REILLEY & ROMAN
9 LLP

10 By /s/ James C. Krieg
11 James C. Krieg
12 Attorneys for Def. MCGUIRE WOODS LLP

13 Good cause appearing,

14
15 IT IS HEREBY ORDERED that Defendants' time to file attorneys' fees
16 motions in this Action shall be extended, so that Defendants shall file attorneys' fees
17 motions no later than 14 days after (i) the Court grants the Count II Summary
18 Judgment Motion if the Court grants the Count II Summary Judgment Motion, or
19 (ii) the Court enters judgment on Count II of the Second Amended Complaint if the
20 Court denies the Count II Summary Judgment Motion.

21
22 DATED: December 22, 2006

23
24 
25 Hon. Maxine M. Chesney
26 United States District Judge
27
28